

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 510
OFFERED BY MR. TIBERI OF OHIO

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; REFERENCE.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Graduate Opportunities in Higher Education Act of
4 2005”.

5 (b) REFERENCES.—Except as otherwise expressly
6 provided, whenever in this Act an amendment or repeal
7 is expressed in terms of an amendment to, or repeal of,
8 a section or other provision, the reference shall be consid-
9 ered to be made to a section or other provision of the
10 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

11 SEC. 2. JAVITS FELLOWSHIP PROGRAM.

12 (a) INTERRUPTIONS OF STUDY.—Section 701(c) (20
13 U.S.C. 1134(c)) is amended by adding at the end the fol-
14 lowing new sentence: “In the case of other exceptional cir-
15 cumstances, such as active duty military service or per-
16 sonal or family member illness, the institution of higher
17 education may also permit the fellowship recipient to in-
18 terrupt periods of study for the duration of the tour of



1 duty (in the case of military service) or not more than
2 12 months (in any other case), but without payment of
3 the stipend.”.

4 (b) ALLOCATION OF FELLOWSHIPS.—Section
5 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

6 (1) in the first sentence, by inserting “from di-
7 verse geographic regions” after “higher education”;
8 and

9 (2) by adding at the end the following new sen-
10 tence: “The Secretary shall also assure that at least
11 one representative appointed to the Board represents
12 an institution that is eligible for a grant under title
13 III or V of this Act.”.

14 (c) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is
15 amended—

16 (1) in subsection (a)—

17 (A) by striking “1999–2000” and inserting
18 “2006–2007”;

19 (B) by striking “shall be set” and inserting
20 “may be set”; and

21 (C) by striking “Foundation graduate fel-
22 lowships” and inserting “Foundation Graduate
23 Research Fellowship Program”; and

24 (2) in subsection (b), by amending paragraph
25 (1)(A) to read as follows:



“(1) IN GENERAL.—(A) The Secretary shall (in addition to stipends paid to individuals under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for 2006–2007 and succeeding academic years, the same amount as the institutional payment made for 2005–2006 adjusted for 2006–2007 and annually thereafter in accordance with inflation as determined by the Department of Labor’s Consumer Price Index for the previous calendar year.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 705 (20 U.S.C. 1134d) is amended by striking “fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years” and inserting “fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years”.

20 SEC. 3. GRADUATE ASSISTANCE IN AREAS OF NATIONAL
21 NEED.

(a) DESIGNATION OF AREAS OF NATIONAL NEED;
PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—
(1) in the last sentence of subsection (b)—



1 (A) by striking “and an assessment” and
2 inserting “an assessment”; and

3 (B) by inserting before the period at the
4 end the following: “, and the priority described
5 in subsection (c) of this section”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(c) PRIORITY.—The Secretary shall establish a pri-
9 ority for grants in order to prepare individuals for the pro-
10 fessoriate who will train highly-qualified elementary and
11 secondary school teachers of math, science, and special
12 education, and teachers who provide instruction for lim-
13 ited English proficient individuals. Such grants shall offer
14 program assistance and graduate fellowships for—

15 “(1) post-baccalaureate study related to teacher
16 preparation and pedagogy in math and science for
17 students who have completed a master’s degree or
18 are pursuing a doctorate of philosophy in math and
19 science;

20 “(2) post-baccalaureate study related to teacher
21 preparation and pedagogy in special education and
22 English language acquisition and academic pro-
23 ficiency for limited English proficient individuals;
24 and



1 “(3) support of dissertation research in the
2 fields of math, science, special education, or second
3 language pedagogy and second language acqui-
4 sition.”.

5 (b) COLLABORATION REQUIRED FOR CERTAIN AP-
6 PPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is
7 amended—

8 (1) by striking “and” at the end of paragraph
9 (9);

10 (2) by redesignating paragraph (10) as para-
11 graph (11); and

12 (3) by inserting after paragraph (9) the fol-
13 lowing new paragraph:

14 “(10) in the case of an application for a grant
15 by a department, program, or unit in education or
16 teacher preparation, contain assurances that such
17 department, program, or unit collaborates with de-
18 partments, programs, or units in all content areas to
19 assure a successful combination of training in both
20 teaching and such content; and”.

21 (c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b))
22 is amended—

23 (1) by striking “1999–2000” and inserting
24 “2006–2007”;



1 (2) by striking “shall be set” and inserting
2 “may be set”; and

3 (3) by striking “Foundation graduate fellow-
4 ships” and inserting “Foundation Graduate Re-
5 search Fellowship Program”.

6 (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)
7 (20 U.S.C. 1135d(a)(1)) is amended—

8 (1) by striking “1999–2000” and inserting
9 “2006–2007”; and

10 (2) by striking “1998–1999” and inserting
11 “2005–2006”.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
13 716 (20 U.S.C. 1135e) is amended by striking “fiscal year
14 1999 and such sums as may be necessary for each of the
15 4 succeeding fiscal years” and inserting “fiscal year 2006
16 and such sums as may be necessary for each of the 5 suc-
17 ceeding fiscal years”.

18 (f) TECHNICAL AMENDMENTS.—Section 714(c) (20
19 U.S.C. 1135c(c)) is amended—

20 (1) by striking “section 716(a)” and inserting
21 “section 715(a)”; and

22 (2) by striking “section 714(b)(2)” and insert-
23 ing “section 713(b)(2)”.



1 **SEC. 4. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**
2 **PORTUNITY PROGRAM.**

3 (a) CONTRACT AND GRANT PURPOSES.—Section
4 721(c) (20 U.S.C. 1136(c)) is amended—

5 (1) by amending paragraph (2) to read as fol-
6 lows:

7 “(2) to prepare such students for study at ac-
8 credited law schools and assist them with the devel-
9 opment of analytical skills and study methods to en-
10 hance their success and promote completion of law
11 school;”;

12 (2) by striking “and” at the end of paragraph
13 (4);

14 (3) by striking the period at the end of para-
15 graph (5) and inserting “; and”; and

16 (4) by adding at the end the following new
17 paragraph:

18 “(6) to award Thurgood Marshall Fellowships
19 to eligible law school students—

20 “(A) who participated in summer institutes
21 authorized by subsection (d) and who are en-
22 rolled in an accredited law school; or

23 “(B) who are eligible law school students
24 who have successfully completed a comparable
25 summer institute program certified by the
26 Council on Legal Educational Opportunity.”.



1 (b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20
2 U.S.C. 1136(d)(1)(D)) is amended by inserting “in ana-
3 lytical skills and study methods” after “courses”.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
5 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999
6 and each of the 4 succeeding fiscal years” and inserting
7 “2006 and each of the 5 succeeding fiscal years”.

8 (d) GENERAL PROVISIONS.—Subsection (e) of section
9 731 (20 U.S.C. 1137(e)) is repealed.

10 **SEC. 5. FUND FOR THE IMPROVEMENT OF POSTSEC-**
11 **ONDARY EDUCATION.**

12 (a) CONTRACT AND GRANT PURPOSES.—Section
13 741(a) (20 U.S.C. 1138(a)) is amended—

14 (1) by amending paragraph (1) to read as fol-
15 lows:

16 “(1) the encouragement of the reform and im-
17 provement of, and innovation in, postsecondary edu-
18 cation and the provision of educational opportunity
19 for all, especially for the non-traditional student pop-
20 ulations;”;

21 (2) in paragraph (2), by inserting before the
22 semicolon at the end the following: “for postsec-
23 ondary students, especially those that provide aca-
24 demic credit for programs”;



1 (3) by amending paragraph (3) to read as fol-
2 lows:

3 “(3) the establishment of institutions and pro-
4 grams based on the technology of communications,
5 including delivery by distance education;”;

6 (4) by amending paragraph (6) to read as fol-
7 lows:

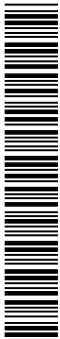
8 “(6) the introduction of institutional reforms
9 designed to expand individual opportunities for en-
10 tering and reentering postsecondary institutions and
11 pursuing programs of postsecondary study tailored
12 to individual needs;”;

13 (5) by striking “and” at the end of paragraph
14 (7);

15 (6) by striking the period at the end of para-
16 graph (8) and inserting “; and” ; and

17 (7) by adding at the end the following new
18 paragraph:

19 “(9) the provision of support and assistance to
20 programs implementing integrated education reform
21 services in order to improve secondary school grad-
22 uation and college attendance and completion rates
23 for disadvantaged students.”.

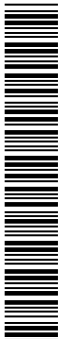


1 (b) AREAS OF NATIONAL NEED.—Section 744(c) (20
2 U.S.C. 1138c(c)) is amended by striking paragraph (4)
3 and inserting the following:

4 “(4) International cooperation, partnerships, or
5 student exchange among postsecondary educational
6 institutions in the United States and abroad.

7 “(5) Establishment of academic programs in-
8 cluding graduate and undergraduate courses, semi-
9 nars and lectures, support of research, and develop-
10 ment of teaching materials for the purpose of sup-
11 porting faculty and academic programs that teach
12 traditional American history (including significant
13 constitutional, political, intellectual, economic, diplo-
14 matic, and foreign policy trends, issues, and docu-
15 ments; the history, nature, and development of
16 democratic institutions of which American democ-
17 racy is a part; and significant events and individuals
18 in the history of the United States).

19 “(6) Support for planning, applied research,
20 training, resource exchanges or technology transfers,
21 the delivery of services, or other activities the pur-
22 pose of which is to design and implement programs
23 to enable institutions of higher education to work
24 with private and civic organizations to assist commu-
25 nities to meet and address their pressing and severe



1 problems, including economic development, commu-
2 nity infrastructure and housing, crime prevention,
3 education, healthcare, self-sufficiency, and workforce
4 preparation.”.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
6 745 (20 U.S.C. 1138d) is amended by striking
7 “\$30,000,000 for fiscal year 1999 and such sums as may
8 be necessary for each of the 4 succeeding fiscal years” and
9 inserting “\$40,000,000 for fiscal year 2006 and such
10 sums as may be necessary for each of the 5 succeeding
11 fiscal years” .

12 **SEC. 6. URBAN COMMUNITY SERVICE.**

13 Part C of title VII (20 U.S.C. 1139 et seq.) is re-
14 pealed.

15 **SEC. 7. DEMONSTRATION PROJECTS TO ENSURE STUDENTS**
16 **WITH DISABILITIES RECEIVE A QUALITY**
17 **HIGHER EDUCATION.**

18 (a) SERVING ALL STUDENTS WITH DISABILITIES.—
19 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-
20 ing “students with learning disabilities” and inserting
21 “students with disabilities”.

22 (b) AUTHORIZED ACTIVITIES.—

23 (1) AMENDMENT.—Section 762(b)(2) is
24 amended—



1 (A) in subparagraph (A), by inserting “in
2 order to improve retention and completion”
3 after “disabilities”;

4 (B) by redesignating subparagraphs (B)
5 and (C) as subparagraphs (C) and (E), respec-
6 tively;

7 (C) by inserting after subparagraph (A)
8 the following new subparagraph:

9 “(B) EFFECTIVE TRANSITION PRAC-
10 TICES.—The development of innovative, effec-
11 tive, and efficient teaching methods and strate-
12 gies to ensure the smooth transition of students
13 with disabilities from high school to postsec-
14 ondary education.”; and

15 (D) by inserting after subparagraph (C)
16 (as redesignated by subparagraph (B) of this
17 paragraph) the following new subparagraph:

18 “(D) DISTANCE LEARNING.—The develop-
19 ment of innovative, effective, and efficient
20 teaching methods and strategies to provide fac-
21 ulty and administrators with the ability to pro-
22 vide accessible distance education programs or
23 classes that would enhance access of students
24 with disabilities to higher education, including



1 the use of electronic communication for instruc-
2 tion and advisement.”.

3 (2) CONFORMING AMENDMENT.—Section
4 762(b)(3) is amended by striking “subparagraphs
5 (A) through (C)” and inserting “subparagraphs (A)
6 through (E)”.

7 (c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b)
8 is amended—

9 (1) by amending paragraph (1) to read as fol-
10 lows:

11 “(1) a description of how such institution plans
12 to address the activities allowed under this part;”;

13 (2) by striking “and” at the end of paragraph
14 (2);

15 (3) by striking the period at the end of para-
16 graph (3) and inserting “; and”; and

17 (4) by adding at the end the following new
18 paragraph:

19 “(4) a description of the extent to which an in-
20 stitution will work to replicate the best practices of
21 institutions of higher education with demonstrated
22 success in serving students with disabilities.”.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
24 765 (20 U.S.C. 1140d) is amended by striking “fiscal year
25 1999 and such sums as may be necessary for each of the



1 4 succeeding fiscal years” and inserting “fiscal year 2006
2 and such sums as may be necessary for each of the 5 suc-
3 ceeding fiscal years”.

